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SCHEDULE.

BOMBAY ACT No. I OF 1880.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 6th May, 1880.*)

An Act to amend the law relating to the settlement of Villages held by Khots.

WHEREAS it is expedient to make special provision for the settlement and revenue-administration of villages in the Ratnágiri District which are held by khots; It is enacted as follows :— Preamble.

PART I.

PRELIMINARY.

1. This Act may be cited as the Khotí Settlement Act, 1880. Short title.

It extends to all villages held by khots in the district of Ratnágiri. Extent.

The Governor in Council may from time to time, by notification in the Bombay Government Gazette, extend all or any of its provisions to any such village in the Kolába District.

Bom. I of 1865.

2. Sections 37 and 38 of the Bombay Survey and Settlement Act, 1865[a], are repealed so far as they apply to any village to which this Act extends, Repeal of sections 37 and 38 of Bombay Act I of 1865.

[a] Printed *supra*, p. 79.

or may hereafter be extended: Provided that the said repeal shall not affect the validity of any settlement already made under the provisions of the said sections and which has been guaranteed by the Government for a fixed period under section 28 of the said Act.

Interpretation-clause.

3. In this Act, unless there be something repugnant in the subject or context,—

(1) "village" means a village, or a portion or share of a village, to the extent to which a khot has any right or interest in such village, or portion or share thereof:

(2) "khot" includes—

(*a*) a mortgagee lawfully in possession of a khotki,

(*b*) all co-sharers in a khotki:

(3) "khotki" means the aggregate of the rights and interests vested in a khot as such:

(4) "jámá" means land-revenue payable by a khot to Government:

(5) "privileged occupant" means—

(*a*) a dhárekari, or

(*b*) a quasi-dhárekari, or

(*c*) an occupancy-tenant:

(6) "dhárekari" means a landholder who holds on the "dhára" tenure:

(7) "quasi-dhárekari" means a landholder of any of the denominations named in the first column of the schedule [a]:

(8) "occupancy-tenant" means a holder of khotí land who has a right of occupancy in such land:

(9) "dhára land" means land held by a dhárekari, or by a quasi-dhárekari:

(10) "khotí land" means land in respect of which a khot has, as such, any right or interest and which is not dhára land:

(11) [*Repealed by Bom. Act III of 1886, s. 2.*]

Expressions defined in the Bombay Land-revenue Code.

(12) any word or expression which is defined in the Bombay Land-revenue Code, 1879, [b] and is not hereinbefore defined, shall be deemed to have the meaning given to it by that Code. Bom. V of 1879.

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[a] Words repealed by Bom. Act III of 1886 are omitted.
[b] Printed *supra*, p. 303.

PART II.

General Provisions relating to Khots and their Inferior Holders.

Khots.

Continuance of khots' villages to be subject to payment of jámá.

4. Khots shall continue to hold their villages conditionally on the payment of the amounts due on account of the jámá of the same, according to the provisions of this Act and of the Bombay Land-revenue Code, 1879 [a], and of any rules for the time being in force made under this Act or under the said Code, and subject to the fulfilment of any other term or liability lawfully annexed or appertaining to their tenure.

Bom. V of 1879.

Inferior Holders.

What holders are to be deemed occupancy-tenants.

5. Every holder of khotí land who has actually occupied or cultivated the same continuously from any time previous to the commencement of the revenue year 1845-46 has a right of occupancy in the land so occupied or cultivated.

The occupation or cultivating of the father or other person from whom the present holder inherits, and in the case of occupancy-rights which are transferable otherwise than by inheritance, the occupation or cultivating of any former holder through whom the present holder claims, or of any mortgagee or lessee of the present or any former holder, shall be deemed to be the occupation or cultivating of the present holder within the meaning of this section;

and, in the case of land which is periodically fallow, years of fallow shall be reckoned as years of occupation or cultivation for the purpose of this section.

Right of occupancy when land has been wrongfully transferred.

6. If an occupancy-right which is not transferable otherwise than by inheritance, has been so transferred, the actual holder of the land shall be deemed to be the tenant thereof, and if he, or his father, or other person from whom he inherits, has occupied or cultivated the land continuously from any time previous to the commencement of the revenue year 1845-46, he shall have a right of occupancy therein:

Provided that, if the actual holder is in possession of the land as mortgagee or lessee merely, his occupation or cultivating shall for the purpose of this section and of section 5 be deemed to be the occupation or cultivating of the mortgagor or lessor, and that, if such mortgagor or lessor has a right of occupancy in the land, such right shall, notwithstanding the provisions of

[a] Printed *supra*, p. 303.

section 9, be subject to the mortgage lien or lease of the said mortgagee or lessee until the same is duly discharged or determined.

Continuance of privileged occupants' tenures.

7. Privileged occupants shall continue to hold their lands conditionally on the payment of the rent from time to time lawfully due by them to the khot or other person entitled to receive payment of the same.

Ordinary tenants.

8. Tenants other than occupancy-tenants shall continue to hold their lands subject to such terms and conditions as may have been, or may hereafter be, agreed upon between the khot and themselves, and in the absence of any such specific agreement shall be held to be yearly tenants liable to pay rent to the khot at the same rates as are paid by occupancy-tenants in the village in which the lands held by them are situate: Provided that the said rates shall not exceed the maxima prescribed in section 33, clause (*c*).

Transfer, etc., of Rights.

What rights are transferable.

9. The rights of khots, dhárekaris and quasi-dhárekaris shall be heritable and transferable.

Occupancy-tenants' rights shall be heritable, but shall not be otherwise transferable, unless in any case the tenant proves that such right of transfer has been exercised in respect of the land in his occupancy, independently of the consent of the khot, at some time within the period of thirty years next previous to the commencement of the revenue year 1865-66, or, unless in the case of an occupancy-right conferred by the khot under section 11, the khot grants such right of transfer of the same.

Resignation, lapse or forfeiture of privileged occupants' lands.

10. If a privileged occupant resign the land or any portion of the land in his holding, or if any such occupant's land lapse for failure of heirs; or other persons entitled thereto, or is forfeited on the occupant's failing to pay the rent due in respect thereof, the land so resigned, lapsed or forfeited, shall be at the disposal of the khot as khotí land free of all encumbrances, other than liens or charges created or existing in favour of Government.

But it shall not be competent to a privileged occupant at any time to resign a portion only of his entire holding except with the consent of the khot; and no privileged occupant shall be deemed to have forfeited his land on failure to pay rent unless such forfeiture is certified by the Collector.

Grant of Privileged Occupant's Rights by Khots.

Privileged

11. It shall be competent to the khot at any time to confer on any

tenant the right of a privileged occupant of any class, or on a privileged occupant of one class, the right of a privileged occupant of a superior class : Provided that the grant by the khot of any such right shall not affect any right of Government in respect of the land which is the subject of such grant or of the trees or other forest-produce of such land. occupants' rights may be conferred by khots.

12. On receipt of a written application from the khot, in such form as shall be prescribed in rules to be framed under section 40, the Collector shall cause an entry to be made, in such record as may from time to time be prescribed by Government in this behalf, of any right conferred by the khot under the last preceding section, and an entry thus duly made and authenticated by the Collector's signature shall be conclusive proof of the facts therein recorded. Record of grant.

Nothing in this section or in section 11 shall be deemed to apply to a mortgagee lawfully in possession of a khotki unless such mortgagee shall have been expressly authorized by his mortgagor to exercise the powers conferred by the said sections.

Recovery of Rents.

13. Whenever application is made to the Collector under section 86 of the Bombay Land-revenue Code, 1879 [a], for assistance to recover rent from a privileged occupant, tenant or co-sharer and the rent claimed is payable in kind, the Collector may, if he thinks fit, direct the recovery of the money-value of such rent, and in such case the money-value shall be estimated at such commutation-rates as the Collector may fix in this behalf for the year for which such rent is due. Bom. V of 1879. Commutation-rates for rent payable in kind.

14. If an occupancy-tenant neglect to raise a crop on any land in his holding on account of the rent of which he would, if he raised a crop, be liable to pay the khot a share of the produce, the khot shall be entitled to receive from him the same amount of rent as if he had raised a crop. Rent of land which an occupancy-tenant neglects to cultivate.

In the event of a dispute as to the amount of rent due under this section, such amount shall be determined by the Collector, but no such rent shall be recoverable by the khot if the tenant shall satisfy the Collector that in the year for which such rent is claimed it was proper, having regard to the custom of the village in respect of lands of the same class, or to the nature and requirements of the soil, that the land should be left fallow.

[a] Printed *supra*, p. 303.

Accounts.

Khots to keep accounts;

15. The khot shall—

(*a*) keep, or cause to be kept, such accounts as may from time to time be required by the Collector under the orders of Government; and

and to produce them when required;

(*b*) produce such accounts, whenever required, to the Collector or to any officer subordinate to the Collector not lower in rank than a mahálkari, and

and to give written receipts.

(*c*) give a written receipt for every payment of rent or land-revenue made to him whether by a privileged occupant or tenant, or by a co-sharer in his khotkí.

Penalty.

For disobedience of any order duly made under this section, or for any infraction of the provisions of this section, the khot shall, on conviction before the Collector or the Assistant or Deputy Collector in charge of the táluqá in which such khot's village is situate, be liable to a fine not exceeding one hundred rupees, which shall be recoverable as an arrear of jámá.

PART III.

Survey and Settlement.

Settlement-records.

Preparation of settlement-register of khotí villages.

16. Whenever a survey-settlement of the land-revenue of any village to which this Act extends is made or revised under the provisions of Chapter VIII of the Bombay Land-revenue Code, 1879 [a], the settlement-register prepared under section 108 of the said Code shall show the area and assessment of each survey-number and also whether such survey-number is held by a privileged occupant or not. Bom. V of 1879.

If a survey-number is held by one or more privileged occupants, the said register shall further specify the tenure on which such number if held, the name of the registered occupant thereof, and, in the case of a survey-number held by an occupancy-tenant, whether his interest therein is transferable otherwise than by inheritance or not.

Survey-numbers which are not held by privileged occupants shall be entered in the said register in the name of the khot, or, if a partition of the khotkí has taken place, of the co-sharers to whose shares they respectively belong.

[a] Printed *supra*, *p.* 303.

The said register shall also contain a list of all the co-sharers of the khotki, if the village be not held by one khot in his own sole right, and shall specify the extent of each such co-sharer's interest in the khotki.

Privileged occupants' rents to be fixed.

17. The other records prepared under the said section shall specify the nature and amount of rent payable to the khot by each privileged occupant according to the provisions of section 33 [a], and any entry in any record duly made under this section shall be conclusive and final evidence of the liability thereby established.

When the khotki is undivided, the co-sharers' respective rights to be recorded.

18. If the khotki is undivided, the said records shall also specify—

(*a*) the survey-numbers in the possession of each co-sharer and the rent payable by such co-sharer on account of the same; and

(*b*) the terms and particulars of any written agreement which the co-sharers, or any of them, have entered into, or may at the time of the framing of the said record enter into, determining their respective responsibility; and

(*c*) the order of rotation in which the said co-sharers agree in writing, if they do so agree, to take the management of the village under the provisions of section 27 [a].

When the khotki is divided, each share to be treated separately.

19. If a partition has been effected and the co-sharers of the khotki hold their respective shares in severalty, the said records shall specify—

(*a*) the extent and limits of each such separate share; and

(*b*) the same particulars in respect of the several sub-sharers, if any, of each such share as are required by the last preceding section to be given concerning all the co-sharers when a khotki is undivided.

Determination of Disputes.

Disputes to be determined by Survey-officer.

20. If it shall appear to the Survey-officer, who frames the said register or other record, that there exists any dispute as to any matter which he is bound to record, he may, either on the application of any of the disputant parties, or of his own motion, investigate and determine such dispute and frame the said register or other record accordingly.

Survey-officer's decision when not final to be set aside only by a decree of Court.

21. In any such matter the decision of the said Survey-officer, when not final, shall be binding upon all the parties affected thereby until reversed or modified by a final decree of a competent Court.

[a] Words repealed by Bom. Act III of 1886 are omitted.

Bar of suits against Survey-officer or Government.

22. No suit shall lie against the said Survey-officer, or against Government, or any officer of Government to set aside any such decision of a Survey-officer; but the record shall from time to time be amended by the said Survey-officer, or, when the survey-settlement is concluded, by the Collector, in accordance with any such decree as aforesaid which the parties may obtain *inter se* on an application, accompanied by a certified copy of such decree, being duly made to the said Survey-officer, or to the Collector for that purpose.

PART IV.

ADMINISTRATION OF SURVEY-SETTLEMENTS MADE UNDER THIS ACT.

Provisions of this Part when to apply.

23. The provisions of this Part shall not apply to any village to which this Act extends until such time as the Governor in Council first after the passing of this Act sanctions a survey-settlement or a revised survey-settlement of such village and declares the assessments settled thereunder fixed for a period of years, in accordance with section 102 of the Bombay Land-revenue Code, 1879 [a]. Bom. V of 1879.

Until such time, the rights and responsibilities of all parties so far as regards the matters treated of in this Part shall continue to be such as they would be if this Part had not been enacted.

Khots' Jámá.

Jámá how to be calculated.

24. The jámá payable to Government by the khot shall be the aggregate of the survey-assessments of the lands of the village minus such percentage of deduction, if any, as Government may in each case direct.

Amount to be fixed for certain periods.

The amount of the said jámá shall be from time to time fixed for the same period for which the survey-assessments are fixed.

Managing Khots.

Abolition of khots' kabuliyats.

25. The annual kabuliyats hitherto executed by khots shall no longer be required from them: Provided that nothing herein contained shall be deemed to affect the liability of khots to perform any condition of their tenure, or to do any act which they are now bound to perform or to do, or their obligation to refrain from doing anything which they are now bound not to do.

Appointment of "managing khot."

26. When a village is held by two or more co-sharers jointly, the said sharers shall be jointly and severally responsible for the jámá, but one of their

[a] Printed *supra*, p. 303.

number shall be nominated every year to receive the inferior holders' rents, to pay the Government dues, and generally to perform all acts required by this Act or by any other law or rule having the force of law, to be performed by the khot.

The sharer so nominated shall be called "the managing khot" and shall for all the purposes of the Bombay Land-revenue Code, 1879 [a], be deemed to be the registered occupant of all survey-numbers in the village not held by privileged occupants.

Bom. V of 1879.

Managing khot how to be nominated.

27. If the co-sharers have, at the time of the framing of the survey settlement records or at any subsequent period, agreed in writing as to the order of rotation, the nomination of the managing khot shall be made by the Collector in the order so agreed upon.

In the absence of any such agreement, the co-sharers shall be called upon to nominate one of their number year by year, and in the event of their failing so to do within such time as may be prescribed by the Collector in this behalf, or if they are not unanimous as to the nomination, the Collector shall either select the managing khot for the year, or cause the village to be attached and taken under the management of himself or any agent whom he appoints for that purpose in the manner provided in section 144 of the Bombay Land-revenue Code, 1879 [a].

Bom. V of 1879.

Collector's nomination not to be disputed.

28. A managing khot nominated by the Collector under the last preceding section shall continue in that capacity throughout the year for which he is so appointed, and no suit shall lie against the Collector, or against Government, or any Government officer in respect of such nomination.

But suits in respect to the right of management not barred amongst the khots themselves.

But it shall be lawful for any of the co-sharers at any time to sue for a decree *inter se* to declare which of them is entitled to the management, or the order in which they should respectively have the management, if more than one of them be entitled to the same; and from the commencement of the revenue year next after an application (accompanied by a certified copy of any such decree) is duly made to him for the purpose, the Collector shall nominate the managing khot in accordance with such decree.

Managing khot's certificate.

29. Except as is hereinafter provided, the mámlatdár shall furnish every managing khot with a certificate under his hand and seal to the effect that the holder thereof is the recognized managing khot for the year to which such certificate relates, and a certificate so signed and sealed shall be conclusive

[a] Printed *supra*, p. 303.

evidence of the right of the khot therein named to manage the village to which it relates for the year therein specified.

Managing khot when there are no co-sharers.

30. When a village is held by a khot in his own sole right, he shall be deemed to be the managing khot thereof for all the purposes of this Act, and it shall not be necessary to furnish him with any such certificate as is described in the last preceding section.

Exclusive power of managing khot.

31. When a managing khot has been duly appointed under any of the foregoing provisions, he alone shall be entitled to assistance for the recovery of rent from privileged occupants under sections 86 and 87 of the Bombay Land-revenue Code, 1879 [a]. Bom. V of 1879.

Separated Sharers.

Separated sharers to be severally responsible for their respective shares.

32. When the khots have divided their khotkí or a partition thereof has been effected by the Civil Court, or otherwise, and the co-sharers hold their respective shares in severalty, the Collector shall determine the amount of jámá payable in respect of each separate share, and the holders of the said shares shall be held severally liable for the portions of the jámá so fixed on their respective shares, and all the provisions of this Act shall apply to them respectively as if they were independent holders of entire khotkís.

Privileged Occupants' Rents.

Nature and amount of rent payable by privileged occupants.

33. The rent payable to the khot by privileged occupants shall be as follows (namely) :—

(*a*) by a dhárekari : the survey-assessment of his land ;

(*b*) by a quasi-dhárekari : the survey-assessment of his land and in addition thereto the amounts of grain or money respectively set forth in the schedule [b] ;

(*c*) by an occupancy-tanant : such fixed amount, whether in money or in kind, as may have been agreed upon or as may at the time of the framing of the survey-record, or at any subsequent period, be agreed upon between the khot and the said tenant ;

or on the expiry of the term for which any such agreement shall have been or shall be made, or, if no such agreement have been or be made, such fixed share of the gross annual produce of the said tenant's land, not exceeding one-half in the case of rice-land, nor one-

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[a] Printed *supra*, p. 303.
[b] Words repealed by Bom. Act III of 1886 are omitted.

third in the case of warkas-land, and such share, if any, of the produce of the fruit-trees on the said tenant's land, as the Survey-officer who frames the survey-record, shall determine to be the customary amount hitherto paid by occupancy-tenants in the village in which the said land is situate.

Privileged occupants' rents how and when to be paid.

34. The rents due by privileged occupants shall be payable on such dates, in such instalments and subject to such rules not inconsistent with the provisions of this Act as may from time to time be prescribed in this behalf by the Governor in Council.

Cesses, etc.

Abolition of all cesses, etc.

35. It shall not be lawful for any khot to levy *phaski, veth, nángarveth, wartála,* or any other cess, rate, tax or service of any description or denomination whatsoever, from any privileged occupant other than the rent lawfully leviable under the provisions of this Act.

Local Fund Cess.

Khot's liability for local fund cess.

36. Local fund cess at such rate as shall from time to time be fixed by Government under section 6 of the Bombay Local Funds Act, 1869[a], shall be leviable by Government from the khot on every rupee of his jámá.

Bom. III of 1869.

Dhárekaris and quasi-dhárekaris to what extent liable for the cess.

The khot shall be entitled to assistance under sections 86 and 87 of the Bombay Land-revenue Code, 1879 [b], for recovery of the said cess at the said rate from dhárekaris and quasi-dhárekaris on every rupee of the survey-assessment of the lands in their respective holdings.

Bom. V of 1879.

Other inferior holders not liable for the cess.

Inferior holders of khotí lands shall not be liable to local fund cess, anything contained in section 8 of the Bombay Local Funds Act, 1869 [a], to the contrary notwithstanding.

Bom. III of 1869.

PART V.

MISCELLANEOUS.

Existing survey-settlements confirmed.

37. Existing survey-settlements of the land-revenue of any village to which this Act extends, made, approved and confirmed under the authority of the Governor in Council, shall be deemed to have been lawfully made, and, except as is hereinafter otherwise provided, shall continue in force for the terms for which they have been respectively guaranteed, subject to all the provisions of law which would be applicable thereto if this Act had not been passed, and

[a] Printed *supra*, p. 133.

[b] Printed *supra*, p. 303.

anything in this Act which is inconsistent with any of the said provisions shall be deemed not to apply to such settlements.

New settlements may be substituted for existing settlements.

38. Upon the expiry of the period of any such guarantee, or, if it shall appear to the Governor in Council that a majority of the landholders affected by any such guarantee so desire, at any time previous to the expiry of the said period (such time being fixed by the Governor in Council), a new survey-settlement shall be introduced into the village in which such guarantee was in force, and the provisions of this Act shall thenceforward apply to the said settlement, anything in any other law to the contrary notwithstanding.

Bombay Land-revenue Code, 1879, how far inapplicable to khoti villages.

39. Nothing in sections 68, 72, 73, 74, 99, clause (*b*), 104, para. 2, 112, 150, clause (*b*), and 153 of the Bombay Land-revenue Code, 1879 [a], shall be deemed to apply to any village to which this Act extends. Bom. V of 1879.

The provisions of the said Code when applied to any such village shall be subject to the following modifications (namely) :—

(*a*) when a survey-settlement is being introduced under section 103, the rent payable by each privileged occupant and the amount of jámá payable by the khot shall be announced in lieu of the assessment fixed on each survey-number ;

(*b*) sections 118, 119 and 123 shall be read and understood as if the word "khots" were substituted for the words "patels and other village-officers," and the words "village-officers" and the words "village-officers and servants," wherever they occur ;

(*c*) the khot shall for the purposes of section 136 be deemed to be the person primarily responsible to Government for the jámá of his village ;

(*d*) the word "alienated" in clause (*f*) of section 150 shall be deemed to be omitted ; and,

(*e*) if such village is under attachment at the date of this Act coming into force, applications may be made under section 162 for the restoration thereof at any time within twelve years from the first day of August next after such date.

Rules to be made by Governor in Council.

40. The Governor in Council may, by notification in the Bombay Government Gazette, from time to time frame, and from time to time vary or rescind, rules not inconsistent with the provisions of this Act—

(*a*) for the inspection and appraisement of crops when the rent payable to a khot consists of a share of the produce of a privileged occupant's land ;

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[a] Printed *supra*, p. 303.

(*b*) for determining what land is dhára land;

(*c*) for allotting to each privileged occupant, when the exact limits of his warkas holding are not ascertainable, such portion of the entire warkas land of the village or such rights or privileges in respect of any warkas land, or both a portion of the entire warkas land and such rights or privileges in respect of any other such land as may be fair and reasonable;

(*d*) determining to what extent, if any, any rule, or order made under section 214 of the Bombay Land-revenue Code, 1879 [a], shall be applicable to villages to which this Act extends; Bom. V of 1879.

(*e*) for the furtherance of the objects of this Act in matters not expressly provided for therein;

(*f*) generally for the guidance of all persons in matters connected with the enforcement of this Act.

Government may constitute uncultivated land a reserved forest.

41. And whereas it is necessary in the general interests of the people to enable Government to promote the extension of forests in villages held by khots; it is hereby enacted that Government may at any time constitute any uncultivated land in any village to which this Act extends, or may hereafter be extended, a reserved forest. But nothing in this section contained shall derogate from any rights conferred by any sanad or other grant made by any lawful authority.

Explanation.—For the purposes of this section "uncultivated land" means land which has not been tilled for a period of twenty years next before the 1st June, 1879, or the date of the order constituting such reserved forest.

Reserved forest constituted under last preceding section to be subject to provisions of Indian Forest Act.

42. Every reserved forest constituted under the last preceding section shall be subject to all the provisions of the Indian Forest Act, 1878 [b], and of any other law relating to forests for the time being in force: provided— VII of 1878.

(1) that, upon the condition of duly performing such service connected with such forest as shall from time to time be prescribed by Government, the khot shall be entitled to a share of one-third of the net profits derived by Government from such forest after deducting the cost of management;

(2) that, in the event of the service prescribed by Government as aforesaid not being duly performed by the khot, the provisions of section 80 of the Indian Forest Act, 1878 [b], shall be applicable.

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[a] Printed *supra*, p. 303.

[b] For Act VII of 1878 see the revised edition, as modified up to 1st December, 1894, published by the Legislative Department.

SCHEDULE.

(*See section 3, clause 7, and section 33.*)

Denomination of Quasi-dhárêkaris.	Excess amount of rent payable for every Rupee and proportionately for every fraction of a Rupee of the Survey-assessment in respect of		
	Rice lands.	Warkas lands.	Bágait or Rábi lands.
Daspatkari	2 annas	2 annas	2 annas.
Dupatkari	½ maund of rice in the husk.	5¼ pailis of grain (half *nachani* and half *vari*).	8 annas.
Didpatkari or Didiwala.	3 pailis of rice in the husk.	2 pailis of grain (half *nachani* and half *vari*).	3 annas.
Paunedupatkari.	6 pailis of rice in the husk.	4 pailis of grain (half *nachani* and half *vari*).	6 annas.

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G. I. C. P. O.—No. 5 L. D.—11-2-96.—2,000.

Pages lxv to lxx of the Appendix to Volume I of this Code should be cancelled, and the annexed sheet substituted for pages i and ii.

APPENDIX.

ENACTMENTS NOTIFIED FOR SCHEDULED DISTRICTS IN BOMBAY UNDER THE SCHEDULED DISTRICTS ACT, 1874 [a].

The Scheduled Districts in Bombay are—

1. The Province of Sindh [b].
2. Aden [c].
3. The villages belonging to the following Mehwassi Chiefs [d]:—
   (1) the Párví of Káthí;
   (2) the Párví of Nál;
   (3) the Párví of Singpúr;
   (4) the Walwi of Gaohállí;
   (5) the Wassáwa of Chikhlí;
   (6) the Párví of Nawalpúr.

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[a] For Act XIV of 1874 see the revised edition, as modified up to 1st October, 1895, published by the Legislative Department.

[b] See Part II of the First Schedule to the Scheduled Districts Act, 1874.

The provisions of 33 Vict., chapter 3, section 1, were declared applicable to the districts (taluqs) of Kohistán, Johí, Nasirabad, Sujáwal, Sihwán, Kakkur, Kumber, Jacobábád, Thal and Kasmur from the 1st January, 1873—see Gazette of India, 1872, Part I, p. 1076.

[c] Aden was declared by the Scheduled Districts Act, 1874, to be a scheduled district—see Part II of the First Schedule to the Act.

The provisions of 33 Vict., chapter 3, section 1, were declared applicable to the Island of Perim from the 10th September, 1884—see Gazette of India, 1887, Part I, p. 239. The island therefore became a scheduled district, under the operation of the Scheduled Districts Act, 1874, s. 1.

The provisions of 33 Vict., chapter 3, section 1, were declared applicable to Aden from the 30th September, 1885—see Gazette of India, 1885, Part I, p. 675.

The said provisions were again declared applicable, from the 9th November, 1886, to the "Settlement of Aden and its dependencies (for the time being), inclusive of the villages of Shaikh Othman, Imad and Hiswa, the Island of Perim and Little Aden"—see Gazette of India, 1887, Part I, p. 33. This declaration was made in continuation of the declarations as to Perim and Aden noted immediately above—see Gazette of India, 1887, Part I, p. 240.

It has since been enacted that "in all enactments and rules heretofore or hereafter passed and made by the Governor General in Council or the Governor of Bombay in Council, the word 'Aden' shall, unless there is something repugnant in the subject or context, or the word is used with reference to Her Majesty's Vice-Admiralty Court at Aden, be construed to mean the settlement of Aden and such of its dependencies for the time being, inclusive of the villages of Shaikh Othman, Imad and Hiswa, the Island of Perim and Little Aden, as are administered by the Governor of Bombay in Council"—see Reg. II of 1891, s. 2, *supra*, p. 277.

[d] See Part II of the First Schedule to the Scheduled Districts Act, 1874.

[The Panch Mahâls ceased to be a Scheduled District from 1st May, 1885—see Act VII of 1885, section 4, printed *supra*, p. 261.]

[Peint ceased to be a Scheduled District from 1st January, 1895—see Bombay Act II of 1894, printed in Vol. III of this Code.]

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